

11-29-01

\$ DAC



Attorney Docket No. FA/153A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Halley et al.
Serial No.: 09/155,041
Filed: September 17, 1998
For: Water Vapor Permeable Composite
Material

) Group Art Unit: 1771
)
) Examiner: J. Befumo

I hereby certify that this correspondence is being deposited with the "Express Mail Post Office to Addressee" service of the United States Postal Service in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231 on November 27, 2001, with an Express Mail Label, bearing the number EK021703058US

Darlene S. McGrath
Darlene S. McGrath

Honorable Commissioner of
Patents and Trademarks
Washington, DC 20231

November 27, 2001
(date of mailing document)

LETTER OF TRANSMITTAL

Dear Sir:

We enclose the following papers for filing in the U. S. Patent and Trademark Office in connection with the above-identified Patent Application:

1. Petition to Revive Unintentionally Abandoned Application (1 page);
2. Continued Prosecution Application (CPA) (2 pages); and
3. Certificate of Mailing by "Express Mail" (1 page).

THE COMMISSIONER IS HEREBY AUTHORIZED AND IS REQUESTED TO CHARGE ALL FILING FEES DUE UNDER 37 C.F.R. §1.16 AND ALL OTHER FEES DUE UNDER SECTION 1.17 DURING THE PENDENCY OF THIS APPLICATION TO OUR DEPOSIT ACCOUNT NO. 07-1729.

Respectfully submitted,

Carol A. Lewis White

Carol A. Lewis White, 33,306
W. L. Gore & Associates, Inc.
551 Paper Mill Road
P.O. Box 9206
Newark, DE 19714-9206
(302) 738-4880

Date: November 27, 2001

RECEIVED

NOV 30 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

OIPF
NOV 17 2001

CONTINUED PROSECUTION APPLICATION (CPA)

REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

U.S. PATENT & TRADEMARK OFFICE

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No.
of Prior Application

FA/153A

First Named Inventor

Halley et al.

Examiner Name

J. Befumo

Group Art Unit

1771

Express Mail Label No.

EK021703058US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 155,041,
filed on 9/17/98, entitled Water Vapor Permeable Composite Material

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
- ☐ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application under 37 CFR 1.53(d)(4).
 - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

**OFFICE OF PETITIONS
DEPUTY A/C PATENTS**
 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - ☐ PTO-1449
 - ☐ Copies of IDS Citations

11/29/2001 CV0111

00000052 071729 09155041

05 FE:183

722-88 CH

[Page 1 of 2]

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	29 -20* =	9	x \$ 18 =	\$ 162.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	2 -3** =	0	x \$ 84 =	\$ 0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) <input type="checkbox"/>			+ \$ 0 =	\$ 0.00
				BASIC FEE (37 CFR 1.16)	\$ 740.00
	Total of above Calculations =				\$ 902.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27). <input type="checkbox"/>				\$ 0.00
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL = \$ 902.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to
Deposit Account No. 07 -1729:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$ _____ is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months
(not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired _____
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☒ Other: Petition to Revive an Unintentionally Abandoned Application (1 page)

RECEIVED

NOV 30 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS**NOTE:**

The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Labelor ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)

Carol A. Lewis White

Signature

Carol A. Lewis White

Registration No. (Attorney/Agent)

33,306

Date

November 27, 2001

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Halley et al.

Docket No.

FA/153A

Serial No.
09/155,041Filing Date
NOV 27 2001
9/27/98Examiner
J. BefumoGroup Art Unit
1771

Invention: Water Vapor Patents Composite Material

I hereby certify that this Continued Prosecution Application (CPA)

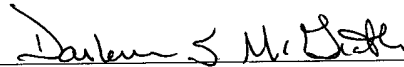
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on November 27, 2001
(Date)

Darlene S. McGrath

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

EK021703058US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.